

GROUND FISH & INDIVIDUAL FISHING QUOTA FISHERIES OFF THE COAST OF ALASKA
50 C.F.R. PARTS 300, 600, and 679

VIOLATION	VIOLATION HISTORY - PENALTY AMOUNT	
	FIRST	SECOND★
PERMIT VIOLATIONS		
A. Federal Fisheries Permit		
1. Fishing without first obtaining a valid fisheries permit		
Catcher Processors and motherships	\$1,000 - \$10,000 plus forfeiture of catch or value thereof	
Penalties for all other vessels	\$1,000 - \$5,000 plus forfeiture of catch or value thereof	
2. Failure to provide written notification of any change to the information required to be provided on the permit application; failure to submit accurate information on the permit application.	\$1,000 - \$5,000	
3. Failure to carry permit aboard or failure to present permit for inspection	\$500 - \$2,500	
4. Possess or transfer more than 133% of a cardholders IFQ limit of IFQ species by a cardholder whose permit has been administratively invalidated for failure to pay IFQ fees.	\$1,500 - \$20,000 plus forfeiture of all IFQ catch or value thereof	

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B. Processor Permit		
1. Processing without first obtaining a processor's permit	\$1,000 - \$10,000 ♦	
2. Failure to provide written notification of any change to the information required to be provided on the permit application	\$1,000 - \$7,500	
3. Failure to have permit available for inspection	\$500 - \$5,000	
C. Moratorium Permit		
1. Fishing for moratorium species without holding a valid moratorium permit	\$5,000 - \$25,000 plus forfeiture of catch or value thereof	
2. Failure to provide written notification of any change to the information required to be provided on the permit application	\$1,000 - \$5,000	
3. Failure to carry permit aboard or failure to present legible permit for inspection	\$1,000 - \$3,000	
4. Catch or retain a moratorium species with a vessel that has received an unauthorized transfer of moratorium qualification	\$5,000 - \$25,000 plus forfeiture of catch or value thereof	

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D. License Limitation		
1. Fishing for license limitation species without holding a valid license limitation permit	\$10,000 - \$50,000 plus forfeiture of catch or value thereof	
2. Failure to provide written notification of any change to the information required to be provided on the permit application	\$2,000 - \$10,000	
3. Failure to carry permit aboard or failure to present legible permit for inspection	\$4,000 - \$6,000	
4. Catch or retain a moratorium species with a vessel that has received an unauthorized transfer of license limitation qualification	\$10,000 - \$50,000 plus forfeiture of catch or value thereof	
E. Scallop Limited Entry		
1. Fishing for scallops without holding a valid scallop limited entry permit	\$10,000 - \$50,000 plus forfeiture of catch or value thereof	
2. Failure to provide written notification of any change to the information required to be provided on the permit application	\$2,000 - \$10,000	
3. Failure to carry permit aboard or failure to present legible permit for inspection	\$4,000 - \$6,000	

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4. Catch or retain scallops pursuant to an unauthorized transfer of scallop limited entry qualification	\$10,000 - \$50,000 plus forfeiture of catch or value thereof	
F. Submit inaccurate information on moratorium, license limitation or scallop limited entry permit application	\$2,000 - \$25,000, or revocation of all fishing rights obtained through the violation, or forfeiture of catch or value thereof attributable to that fishing activity, or all or some part of the above	
RECORD KEEPING AND REPORTING VIOLATIONS		
A. Failure to submit a timely, accurate and legible logbook or other report; failure to comply with entry and alteration restrictions; failure to maintain a complete logbook or other report	\$1,000 - \$15,000 ♦	
B. Failure to provide timely, accurate, and complete check-in or check-out information	\$1,000 - \$5,000	

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FISHING VIOLATIONS		
A. Closed Area, Fishery or Period Conduct fishing contrary to a notice of in-season adjustment, in a closed area, during a closed season, after a catch limit has been reached, fishing in CDQ fishery without an approved vessel or an approved CDP, exceeding CDQ, or violation of a directed fishing standard or gear limitation; engage in large-scale driftnet fishing beyond the EEZ of any nation; Possess, have custody of, ship, transport, import, export, order for sale, sell, or purchase illegally taken fish	\$5,000 - \$50,000, plus forfeiture of illegal catch or value thereof ♦	
B. Pollock Trip Limit Retain on board more than 136 mt of unprocessed pollock or retain on board a tender vessel more than 272 mt of unprocessed pollock.	\$5,000 - \$15,000, plus forfeiture of overage or value thereof	

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C. Roe Stripping Strip pollock of its roe and discard flesh of the pollock	\$5,000 - \$50,000, plus forfeiture of roe or value thereof	
D. Prohibited Species ♠		
1. Failure to sort catch as soon as possible and return any prohibited species to the sea immediately with a minimum of injury	\$1,000 - \$5,000	

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2. Retention of prohibited species		
Up to 35 halibut or salmon	\$300 per fish, plus forfeiture of the prohibited species	
More than 35 halibut or salmon	\$400-\$500 per fish or \$10 per pound (round weight or round weight equivalent), whichever is greater, plus forfeiture of prohibited species	
Other Species	\$5.00 per pound, plus forfeiture of the prohibited species or value thereof	
3. Failure to minimize catch of prohibited species	\$25,000 - \$30,000	
GEAR VIOLATIONS (See License Limitation fishing violations, for specific penalties relating to License Limitation violations)		
A. Failure to comply with gear requirements	\$500 - \$5,000	
B. Steal, remove, damage or tamper with fishing gear or fish	\$5,000 - \$25,000	
OBSERVER VIOLATIONS		
A. Failure to maintain required observer coverage	\$10,000 - \$35,000 ♦	

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B. Forcibly assault, resist, oppose, impede, intimidate or interfere with an observer	\$30,000 - \$70,000	
C. Interfere with or bias the sampling procedure employed by an observer; tamper with, destroy or discard an observer's samples, equipment, records, film, papers or personal effects without the consent of the observer; prohibit observer from or fail to provide observer with access to information; fail to allow observers free and unobstructed access to all areas; fail to provide required documents to observer; harass an observer; require observer to perform duties normally performed by crew; fail to provide a personal computer and communications equipment and to ensure that it is fully functional and operational, or fail to provide observers with food and accommodation equivalent to management level personnel on a vessel	\$5,000 - \$50,000 ♦	
D. Pre-sorting before observer has opportunity to sample	\$5,000 - \$20,000 ♦	
E. Modify workstation without obtaining recertification	\$5,000 - \$35,000 ♦	

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F. Failure to notify observer at least 15 minutes before fish are brought on board or transferred	\$1,000	
G. Failure to conduct transfer at sea in accordance with regulations	\$5,000 - \$25,000 ♦	
H. Failure to have on board a Commercial Fishing Vessel Safety Decal, Certificate of Compliance or Certificate of Inspection	\$750	
VESSEL INCENTIVE PROGRAM		
Exceed a bycatch rate standard	\$50,000 - \$90,000	
INSHORE/OFFSHORE VIOLATIONS		
A. Operate any vessel in more than one of the three categories included in the definition of "inshore component" during any fishing year		
1. With a processing vessel that is less than 125' LOA: Processing on aggregate of 126 mt/week or more of pollock or GOA Pacific cod at a single geographic location within State waters <u>then</u> processing less than 126 mt/week in a different geographic location	\$1,000 - \$5,000	

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2. Processing pollock or GOA Pacific cod as a shoreside processing operation <u>then</u> applying for and receiving a Federal groundfish permit and either (1) processing pollock or GOA Pacific cod within State waters at a single geographic location or (2) processing less than 126 mt/week of pollock or GOA Pacific cod with a vessel that is less than 125' LOA	\$5,000 - \$10,000	
B. Operate any vessel to process pollock harvested in a Federal reporting area off Alaska in a directed fishery for pollock, or Pacific cod harvested in the GOA in a directed fishery for Pacific cod, under the "inshore component" and the "offshore component" during the same fishing year		
1. With a vessel 125' LOA or longer: processing pollock or GOA Pacific cod within State waters at a single geographic location <u>then</u> processing pollock or GOA Pacific cod in a different geographic location	\$20,000 - \$50,000, or forfeiture of catch or value thereof, or both	
2. With a vessel less than 125' LOA: processing less than 126 mt/week of pollock or GOA Pacific cod <u>then</u> processing 126 mt/week or more of pollock or GOA Pacific cod	\$10,000 - \$30,000, or forfeiture of catch or value thereof, or both	

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3. Processing pollock or GOA Pacific cod within State waters at a single geographic location <u>or</u> with a vessel less than 125' LOA and processing less than 126 mt/week <u>then</u> surrendering the vessel's Federal groundfish fisheries permit and processing pollock or GOA Pacific cod	\$10,000 - \$30,000, or forfeiture of catch or value thereof, or both	
4. With vessels less than 125' LOA: processing more than 126 mt/week of pollock or GOA Pacific cod <u>then</u> processing less than 126 mt/week	None	
MORATORIUM FISHING VIOLATIONS		
A. Catch and retain a moratorium species with a vessel that has a LOA greater than the maximum LOA for the vessel	\$5,000 - \$25,000	
LICENSE LIMITATION VIOLATIONS		
A. Processing without an authorization endorsement	\$10,000 - \$50,000	
B. Catch and retain license limitation species in an area not authorized	\$10,000 - \$50,000, plus forfeiture of the entire catch or the value thereof	

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C. Catch and retain license limitation species with unauthorized gear	\$5,000 - \$25,000, plus forfeiture of the entire catch or the value thereof	
INDIVIDUAL FISHING QUOTA AND COMMUNITY DEVELOPMENT QUOTA REGULATORY PROGRAMS *		
A. Quota and Possession Violations		
1. Possession or sale of IFQ fish with no annual quota share, no IFQ or CDQ, or no registered buyer permit		
300 pounds or less of halibut; 100 pounds or less of sablefish	\$500 - \$2,500, plus forfeiture of IFQ species or value thereof	
300 to 1,500 pounds of halibut; 100 to 1,500 pounds of sablefish	\$15,000 - \$50,000, plus forfeiture of IFQ species or value thereof	
More than 1,500 pounds of halibut or sablefish	\$45,000 - \$80,000, plus forfeiture of IFQ species or value thereof	
2. Possession or sale of <u>excess IFQ or CDQ fish</u> by person holding IFQ or CDQ		
a. Overages occurring during the final voyage of year where IFQ or CDQ is available		

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Overages up to 100 percent of IFQ or CDQ remaining at beginning of voyage	\$1 - \$5 per pound, or deduction of the amount of the overage from the respondent's IFQ account in the year following final determination of the violation, plus forfeiture of entire catch overage or the value thereof	
Overages in excess of 100 percent of IFQ or CDQ remaining at beginning of voyage	\$2 - \$6 per pound, or deduction of the amount of the overage from the respondent's IFQ account in the year following final determination of the violation, plus forfeiture of entire catch overage or the value thereof.	
3. Possession or sale of halibut or sablefish by annual quota share holder with <u>no remaining IFQ or CDQ</u> for vessel or area		
300 pounds or less of halibut; 100 pounds or less of sablefish	\$500 - \$2,500, plus forfeiture of IFQ species or value thereof	
300 to 1,500 pounds of halibut; 100 to 1,500 pounds of sablefish	\$15,000 - \$50,000, plus forfeiture of IFQ species or value thereof, plus permit sanction against 20-50% of IFQ for one year or deduction of IFQ species amount from following year's IFQ, whichever is greater	

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More than 1,500 pounds of halibut or sablefish	\$45,000 - \$80,000, plus forfeiture of entire catch or value thereof, plus permit sanction against 50-100% of IFQ for one year or deduction of IFQ species amount from following year's or years' IFQ, whichever is greater	
B. Transfer Violations; False Statement		
1. Transfer or obtain IFQ without prior written approval; Fraud or false statement in conjunction with transfer or acquisition of quota share, IFQ, ownership or bona fide crewmember status	Revocation of all quota share obtained through the violation, plus forfeiture of catch or value thereof attributable to that quota share or IFQ, or \$25,000 - \$75,000, or both	
C. Reporting/Clearance Violations		
1. Fail to provide timely prior notice of IFQ landing	\$2,000 - \$15,000	
2. Fail to submit an IFQ Landing Report in timely manner	1 - 12 hours late: \$5,000 - \$40,000; Over 12 hours late: \$40,000 - \$80,000, plus forfeiture of IFQ fish or value thereof	
3. Fail to submit Shipment Report in a timely manner	\$7,500 - \$20,000	

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4. Fail to submit Transshipment Notice in a timely manner	\$20,000 - \$50,000	
5. Fail to submit accurate information in a Prior Notice of Landing report, shipment report or transshipment notice	\$5,000 - \$20,000	
6. Fail to submit accurate information in a Landing report	\$10,000 - \$25,000	
D. Vessel clearance violations		
1. Fail to obtain pre-landing written clearance	\$50,000 - \$90,000, plus permit sanction against 20-50% of IFQ for one year, plus forfeiture of entire catch or value thereof	
2. Fail to submit report to obtain pre-landing written clearance outside Alaska	\$25,000 - \$60,000, plus forfeiture of IFQ fish or value thereof	
3. Fail to submit accurate report to obtain pre-landing written clearance outside Alaska	\$20,000 - \$50,000, plus forfeiture of unreported IFQ fish	
4. Fail to submit report to obtain pre-landing written clearance in a manner prescribed by the registered buyer permit	\$1,000 - \$5,000	

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E. Fail to make available for inspection any reports or receipts	\$1,000 - \$5,000	
F. Fail to maintain onboard or present original IFQ card for inspection	\$5,000 - \$25,000	
G. Start an IFQ landing between 18:01 and 5:59 a.m.	\$10,000 - \$20,000, plus forfeiture of catch or value thereof	
H. Possess on vessel or land IFQ sablefish concurrently with non-IFQ sablefish	\$10,000 - \$25,000, plus forfeiture of entire catch or value thereof, plus deduction of amount of IFQ fish from following year(s) IFQ	
I. Make an IFQ landing other than directly to (or by) a registered buyer	\$20,000 - \$60,000, plus forfeiture of catch or value thereof, plus permit sanction against 20-50% of IFQ for following year or deduction of IFQ landing amount from following year's IFQ, whichever is greater	
J. Discard IFQ fish caught with fixed gear from any catcher vessel when any IFQ card holder onboard holds unused IFQ for that vessel category and regulatory area	\$1,000 - \$15,000	
K. Operate a vessel as catcher vessel and freezer vessel during the same fishing trip	\$1,000 - \$15,000	

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L. Discard Pacific cod or rockfish with IFQ fish on board	\$5,000 - \$25,000	
U.S. NATIONALS FISHING IN RUSSIAN FISHERIES (50 C.F.R. § 300, Subpart J)		
A. Fishing for Russian fishery resources without a valid permit	\$5,000 - \$25,000, plus forfeiture of catch or value thereof	
B. Violate the provisions, conditions or restrictions of a permit	\$5,000 - \$25,000	
RESEARCH PLAN		
A. Submit inaccurate information	\$1,000 - \$5,000	

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WALRUS BUFFER ZONE		
A. Enter area 3 to 12 nautical miles seaward of Round Island and The Twins	\$10,000 - \$50,000	

NOTES:

- ★ See, General Provisions, below.
- * For violations of the Northern Pacific Halibut Act which are not related to the IFQ or CDQ programs, see the penalty schedule for the Northern Pacific Halibut Act.
- ◆ Size of vessel or facility and/or the type of missing information may be considered in establishing the level of penalty.
- ♠ Consideration may be given to the condition of the prohibited species found on board, and the amount of time between haul and sorting or detection.